THE HON'BLE SRI JUSTICE N.V. RAMANA

W.P. No. 20539 of 2005

Oral order:

Heard the learned counsel for the petitioner and the learned Standing counsel for the respondents-A.P. State Handloom Weaver's Co-operative Society Limited.

The petitioner retired from the services of A.P. State Handloom Weaver's Co-operative Society Limited, as Assistant Manager. It is the grievance of the petitioner that the 1st respondent without providing any opportunity and without furnishing any details, by reason of the impugned order dated 23.07.2005, deducted an amount of Rs.64,042-98 ps. towards staff personal and suspense account, from out of the retrial benefits, namely gratuity, PL salary and CSD of Rs.1,05,509-40 ps. payable to him, and paid an amount of Rs. 41,466/-, which is illegal and arbitrary.

On behalf of the 1st respondent, its General Manager, filed counter. In the counter the 1st respondent while admitting the factum of deduction of Rs.64,042-98 ps. from out of the retrial benefits payable to the petitioner, submitted that the petitioner did not produce No Dues Certificate from Secunderabad Division to which he belongs and from the Division he retired, and therefore, based on the records available with them, they deducted the Staff Personal Account Dues and Staff Suspense Account dues, standing in the name of the petitioner.

The Standing Counsel for the respondents, to justify the deductions, produced copies of the accounts, and a perusal of the Staff Personal Account of the petitioner would disclose that dues to the tune of Rs.14,050.55 ps. from Hyderabad Division as on 31.10.2001, dues to the tune of 28,492.03 ps. as on 31.03.2001 and dues to the tune of Rs.19,435.40 ps. from Secunderabad Division, were transferred, and apart from that an amount of Rs.2,065/- was shown as due in the Staff Suspense Account of the petitioner, and in all, an amount of Rs. 64,042-98 ps. is shown as due by the petitioner. In fact, the petitioner on 25.07.2005, after deduction of the due amount of Rs.64,042-98 ps. from out of the retrial amount of Rs.1,05,509.40 ps. payable to him, has received the balance amount of Rs.41,466/- by acknowledging that the

amount received by him was towards full and final settlement of retrial benefits.

The petitioner having failed to produce the "No Dues Certificates" from the Division to which he belongs and also from the Division from where he retired, and he having not objected to the deductions made by the respondents, and in fact, having received the balance amount stating that the amount received by him was towards full and final settlement of retrial benefits, cannot contend that the respondents without furnishing the details, have deducted the amounts.

There is no merit in the writ petition, and the same is accordingly dismissed. No costs.

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N.V. RAMANA, J.

Dated: 17th April, 2007.
KSR